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AUTHOR Johnson, Charles F., Jr.
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ABSTRACT

In 1976, two California school districts, the Alhambra City School District (for elementary students) and the Alhambra High School District, were cited for noncompliance with the U.S. Supreme Court's decision in Lau v. Nichols, which requires public schools to teach non- and limited-English speakers in their own languages while they learn English. This report discusses the Lau decision, describes the districts' response to the federal citation, and evaluates the programs implemented. The author draws on statistical and documentary data and on interviews with district educators, professional specialists, and program committee members. Following a lengthy discussion of the Lau case, the report presents a detailed chronology of the districts' development of their bilingual programs, from March 1976 to June 1977. Program implementation for the districts' Spanish, Chinese, and Japanese speakers is described. Criticisms of the programs revealed in a survey of 52 district teachers are noted. The author also quotes the current evaluations, which commend the programs highly. Among the author's conclusions are recommendations that bilingual teachers not participating in the programs be given incentives to do so and that all teachers be informed more fully about the programs. (PW)

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LAU vs. NICHOLS IMPLEMENTATION STUDY WITHIN THE ALHAMBRA CITY SCHOOL DISTRICT

by

Charles F. Johnson Jr.

Paper presented at the Annual Meeting of the American Educational Research Association, New York, NY, March 19-23, 1982.

EA 014 558

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INTRODUCTION

The content material of this Lau vs. Nichols implementation study was acquired from a variety of primary sources. Interviews were held with teachers, administrators, aides, Title I coordinators, Alhambra District Bilingual Committee members (formerly, the Lau Committee), District Bilingual Coordinator, Reclassification Criteria Committee members and the Elementary grievance representative of the Alhambra Teachers' Association.

Pertinent data, statistics, and other relevant information was obtained from District literature, Reclassification Committee notes, Evaluation of the Alhambra Bilingual/Cross Cultural Program, District letters received from and sent to the Office for Civil Rights, in San Francisco, Phase I and II Manuals of the office of The Los Angeles County Superintendent of Schools (Lau Center) and Manuals from the Institute for Cultural Pluralism (Lau Center at San Diego State University).

The primary focus of this study is at the elementary level. The Alhambra City School District is composed of 13 elementary schools, located in the two cities of Alhambra and Monterey Park. Ynez, Repetto, Brightwood and Monterey Highlands are schools located in Monterey Park. Baldwin, Emery Park, Fremont, Garfield, Granada, Marguerita, Northrup, Park and Ramona are schools located in Alhambra.

The Alhambra High School District has 4 schools; Alhambra High School in Alhambra, Mark Keppel High School in Monterey Park and San Gabriel High School in San Gabriel, with Century High School located in Alhambra.

LAU vs. NICHOLS SUPREME COURT CASE

On March 4, 1976, the Alhambra City and High School Districts received a noncompliance letter from the Office for Civil Rights of the Health Education and Welfare Department. The letter stated that the District was not in compliance with the 1974, Lau vs. Nichols, Supreme Court Case.

To better understand the legal and educational significance of Lau vs. Nichols it is necessary to summarize the nature of the arguments and rulings in the case and how Federal Courts and Congress have interpreted Lau in the past years. On March 25, 1970, thirteen nonenglish speaking Chinese American students filed suit in the Federal District Court in San Francisco against the San Francisco Board of Education, whose president happened to be Alan Nichols, on behalf of nearly 3,000 Chinese speaking students. Their class action suit, Lau vs. Nichols, alleged that Chinese speaking children were being denied their rights to an education because they were unable to comprehend or speak the English language in which their classes were taught. By denying these children special instruction in English, the school district was not only violating their rights to an education and to equal educational opportunities as guaranteed by the Constitution of the United States and the State of California and by Federal and State Legislation, but the school district was also dooming these children to become dropouts and to join the rolls of the unemployed.

In their complaint, the non English speaking Chinese American students raised two basic issues: first, whether the SFUSD was required to provide them with special instruction in English;

secondly, whether such special instruction in English must be taught by bilingual, Chinese speaking teachers. The suit asked the District Court to order the Board of Education to provide them with special English language classes with bilingual teachers and claimed that law enacted by both Congress and the California State Legislature demonstrated the need for bilingual teachers. Without such bilingual teachers, the plaintiffs contended , even special instruction in English would be a fruitless gesture, with students merely parroting teachers rather than learning English.

The lawsuit was not developed in a vacum. It was brought because of a deep sense of frustration; it was the community's last resort after all avenues had been exhausted in hopes of overcoming the serious educational harm suffered by its children. For years the Chinese community employed meetings, negotiations, studies, demonstrations, and community alternative programs to try and rectify the educational deprivations suffered by non English speaking children. All these efforts invariably resulted in token gestures, in the form of stop gaps here and there on the part of a school administration which seemed to have neither the interest, the willingness, the competence, nor the commitment to cope with the thousands of limitted English speaking children in San Francisco. Ironically, such inaction by the school district was accompanied by an explicit recognition of the seriousness of the problem. The district in 1969 admitted:

> "When these(Chinese speaking youngsters) are placed in grade levels according to their ages and are expected to com-

> pete with their English speaking peers, they are frustrated by their inability to understand the regular work....for these children, the lack of English means poor performance in school. The secondary student is almost inevitably doomed to be a drop-out and another unemployed in the ghetto." 1

During the court hearing, the school district freely admitted the grave needs of these children to receive special instruction, but contended that such needs did not constitute legal rights. The school district argued that its obligations to these children were satisfied by providing them the same educational setting offered to other children in the district. Though the school district acknowledged its desire to provide more special classes for limited English speaking children, it said such classes would be offered "gratuitously," as personnel permitted, rather than as a matter of right and duty.

In its decision, the Federal Court agreed with the school district and denied the non English speaking children any relief. The court expressed sympathy for the plight of the students, but concluded that their rights to an education and to equal educational opportunities had been satisfied as they received the same education made available on the same terms and conditions to the other tens of thousands of students in the SFUSD.

The Chinese speaking students appealed the decision to the U.S. Court of Appeals for the Ninth Circuit. A three judge panel affirmed the lower court decision on January 8, 1973, and accepted the school district's argument that its responsibility to non English speaking children extends no further than to provide them

with the same facilities, textbooks, teachers, and curriculum as is provided to other children in the district. "The panel further stated that the problems suffered by the children were not the result of law enacted by the state ... but the result of deficiencies created by the (children) themselves in failing to learn the English language." [2]

Confronted with the appellate court decision, the Chinese speaking children petitioned the U.S. Supreme Court to take their case and reverse the Appellate Court. On June 12, 1973, the U.S. Supreme Court granted the petition to hear the case and oral arguments were heard on December 10, 1973.

On January 21, 1974, the Supreme Court issued its unanimous decision reversing the Appellate Court opinion. Relying on Title VI of the Civil Rights Acts of 1964, The Supreme Court ruled that the failure of any school system to provide English language instruction to its non English speaking students constitutes a denial of equal treatment and equal educational opportunity. The Supreme Court further stated:

> "There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education." 3

Presently, all court decisions which have applied and interpreted Lau vs. Nichols have concluded thatLau required bilingual education to overcome the deprivations suffered by limitted English speaking children. Serna vs. Portales, New Mexico School District: the U.S. Court of Appeals for the Tenth Circuit ruled on July 19, 1974, that bilingual-bicultural ed-

ucation is the only appropriate remedy under the Lau decision. In Aspira vs. Board of Education of the City of New York, the Federal District Court on August 29, 1974, relied on the Lau decision in sanctioning the immediate implementation of a complete bilingual-bicultural program for nearly 200,000 Spanish speaking Puerto Rican children in New York City. Similarly, the other court decision which has interpreted Lau, Keyes vs. Denver Unified School District, also held on April 9, 1974, that bilingual-bicultural education is required by Lau. The Federal Court in Keyes held that the Lau decision demonstrates that it is ineffective to require non English speaking children to learn a language with which they are unfamiliar, and at the same time acquire normal basic learning skills which are taught through the medium of that unfamiliar language.

PRELIMINARY PLANNING TIME-LINE for LAU COMPLIANCE

After the Alhambra City and High School Districts received their noncompliance letter from HEW, the following chronology and future projections occurred:

1.0	Noncompliance letter received from HEW	March 4, 1976
1.1	Contacted the Institute for Cultural Pluralism, San Diego State University	March 18, 1976
1.2	Telephone call by Mr. Meeks to Mr. Palomino's Office (OCR), giving verbal commitment to abide by the requirements of HEW	March 22, 1976
1.3	Cancelled meeting with Institute for Cultural	March 26, 1976

Pluralism. Set up meeting with Los Angeles County Lau Center.

1.4 Letter to Floyd L. Pierce, Director, Office for Civil Rights, from Dr. Bruce Peppin indicating commitment of districts to abide by the requirements of HEW. — March 30, 1976

1.5 Formation of initial planning group — March 30, 1976

Committee: Dr. Bruce Peppin, Superintendent
Mrs. Jean Turner, Director, Secondary Federal Projects
William Bearchell, Director, Elementary Federal Projects
Evelyn Welch, Administrative Secretary Federal Projects
Russell Purcey, Director of Curriculum Services
Dr. Gordon Naylor, Director, Pupil Services
Heber J. Meeks, Assistant Superintendent

1.6 Letter to Los Angeles County Lau Center (from Mr. Meeks) indicating tentative Lau Center assistance — April 13, 1976

1.7 Initial Planning Meeting with Los Angeles County Lau Center Consultants — April 15, 1976

1.8 Complete questionnaire from Lau Center — May 6, 1976

1.9 Letter to Lau Center (from Dr. Peppin) requesting Lau Center assistance — May 14, 1976

2.0 Letter from Lau Center acknowledging receipt of letter of agreement — May 26, 1976

2.1	Received letter from John Palomino, setting deadline for skeletal educational plan to be due in his office no later than June 30, 1976	June 2, 1976
2.2	Met with David Alexander and Yolanda Del Rio from Los Angeles Lau Center to set date and plan for community meeting	June 3, 1976
2.3	District representative (Mr. Meeks) attended Oral Language Assessment Workshop	June 4, 1976
2.4	Letter to Floyd L. Pierce indicating contact with Los Angeles County Lau Center, giving progress report	June 7, 1976
2.5	Met with David Alexander from Los Angeles County Lau Center to develop format for time line	June 9, 1976
2.6	Releases to press concerning community meeting: Monterey Park Californian Monterey Park Progress Post Advocate Independent Star News San Gabriel Valley Tribune Los Angeles Times	June 9, 1976
2.7	District representative (Mr. Meeks) met with representatives from South Whittier Elementary School District to review their format and time-line	June 10, 1976
2.8	Notices sent to all families - Bilingual	June 15, 1976
2.9	Review of progress and tentative time-line concerning Lau vs. Nichols with Board of Education	June 21, 1976

3.0	Mr. Meeks discussed requirements of Office of Civil Rights for teacher language equivalency examination with Al Tellez from the Office for Civil Rights	June 21, 1976
3.1	Mr. Meeks attended a meeting on bilingual-bicultural credentialing for teachers, sponsored by the Los Angeles County Lau Center and conducted by Eli Obradovich, Chief, California State Department of Education, Office of Credentialing and Licensing	June 23, 1976
3.2	First Community Meeting (orientation by Los Angeles County Lau Center Personnel)	June 23, 1976
3.3	Mr. Meeks met with Mr. David Alexander and Yolanda Del Rio from the Los Angeles County Lau Center to evaluate the proposed skeletal plan and time-line developed for the Alhambra City and High School Districts.	June 25, 1976
3.4	Skeletal Education Plan for Compliance for compliance with Title VI Civil Rights Act of 1964 to meet the need of Alhambra City and High School Districts' limited and non English speaking students submitted to the office of John E. Palomino, Educational Branch Chief, Office for Civil Rights	June 25, 1976
3.5	Potential Steering Committee to participate in Workshop conducted by the Los Angeles County Lau Center	June 25, 1976

3.6	Second community meeting to recruit members for the Community Steering Committee	July 14, 1976
3.7	Recognition of the Executive Committee by the Board of Education	August 2, 1976
3.8	Lau Steering Committee meeting to review the time-line and proposed steps for implementation of the bilingual master plan, identified needs assessment instruments, and discussed goals and objectives to bring district into compliance	August 26, 1976
3.9	Steering Committee representatives attended Lau Workshop on Needs Assessment, conducted by Los Angeles County Lau Center	August , 1976
4.0	Steering Committee approves Needs Assessment instrument and process for surveying student needs	September 1, 1976
4.1	Mr. Meeks met with Data Processing to set up necessary procedure to score needs assessment instrument	September 10,1976
4.2	Administered Needs Assessment Instrument to all students in the Alhambra City and High School Districts	September 23, 1976
4.3	Completed Needs Assessment instruments returned to the Administration Building	October 8, 1976
4.4	Received letter from Office for Civil Rights indicating that the skeletal plan and tentative time-line needed additional information and requesting the information be	October 19, 1976

forwarded to that office by December 1, 1976

4.5	Mr. Meeks made telephone call to Office for Civil Rights, John Palomino, San Francisco, and made an appointment to discuss letter received on October 19, 1976. Appointment was set for November 17, 1976	October 20, 1976
4.6	Mr. Meeks and Dr. Peppin met with Mr. Felix Sandoval, Office for Civil Rights, San Francisco, to discuss the contents of letter received on October 19, 1976	November 17, 1976
4.7	Mr. Meeks made a phone call to the Office for Civil Rights and requested permission to submit the report requested by December 1, 1976, at a later date. Mr. Sandoval granted the extention	December 7, 1976
4.8	Mr. Meeks has made the following presentations concerning orientation to Lau vs. Nichols: 11 school faculties, 2 community organizations, and 2 School Advisory Committees	August 31-December 20, 1976
4.9	Results of the Needs Assessment Survey returned to individual schools for cross validation to be accomplished by utilizing teachers, aides, and parent volunteers who are bilingual in English and the target language	December 8, 1976
5.0	Cross validation of student information to be returned to the office of the Assistant Superintendent of Instruction	December 17, 1976
5.1	Report requested by Office for Civil Rights	December 22, 1976

	in letter of October 12, 1976, forwarded to Office for Civil Rights	
5.2	School district will administer language proficiency instruments to all students identified in the Needs Assessment survey. The language assessment instrument will provide further cross validation of the results	January 14, 1977
5.3	The results of the Language Assessment Instrument to be validated and reviewed by the Community Advisory Council	January 27, 1977
5.4	The Steering Committee identifies the necessary components of the bilingual master plan	January, 1977
5.5	Steering Committee assigns subcommittees to develop the various components of the master plan	January, 1977
5.6	Steering Committee reports results of their review of the test data to the Board of Education	February 7, 1977
5.7	Subcommittees develop objectives consistent with the goals for each component	February, 1977
5.8	The school districts will administer a language proficiency instrument to teaching staff	February, 1977
5.9	Cross validation procedures will be used to accurately assess the bilingual capability of those teachers identified as being bilingual	February, 1977
6.0	Subcommittees develop proposed instructional	March, 1977

	program to meet the objectives. These objectives included: (1) developing prescriptions, including materials and teaching strategies for meeting diagnosed needs of limited and non-English speaking students ; (2) designating staff pre-service and in-service training programs for effective utilization of instructional prescriptions; (3) the recruitment of the needed personnel; (4) designing and planning community relations programs; (5) developing, counseling, guidance, and testing procedures appropriate for placing and counseling limited and non-English speaking students; and (6) determining the resources required for implementing the master plan.	March, 1977
6.1	Subcommittees report back to the Steering Committee	March, 1977
6.2	Steering Committee develops the final master plan	April, 1977
6.3	Board of Education reviews and critiques instructional program developed by the bilingual education planning committee	April, 1977
6.4	School districts identify personnel and resources necessary for implementing the bilingual program master plan	May, 1977
6.5	School districts identify time line when ac-	May, 1977

tivities are to occur in the implementation of the bilingual master plan

6.6 The school districts will readjust staffing patterns internally to provide bilingual teachers for students who are non-English or limited English speaking — May, 1977

6.7 The School districts will implement instructional programs that recognize the cultural, racial, and linguistic differences of students of limited and non-English ability. The recognition of these cultural, racial, and linguistic differences will be reflected in the teaching designs, instructional programs, and the multi-cultured curriculum provide to limited and non-English speaking students. This program will be designed to meet the needs of the target language students:

Spanish----------September, 1977

Chinese----------September, 1978

Japanese---------September, 1979

Korean-----------September, 1980

All other LES or NES students----------September, 1981

PROGRAM IMPLEMENTATION

The Alhambra School Districts are one hundred percent committed to Bilingual/Bicultural education. Coordinator of Bilingual, Bicultural Education, Spanish Resource Specialist, and Title VII Resource Specialist are administrative positions created to implement the program. The original Lau Committee, which drew up the Master Plan, was disbanded by the Board of Education. Subsequently, the Board of Education appointed thirty eight members to the District Bilingual Advisory Committee (this committee is composed of 20 parents, 4 community representatives, 4 teachers, 4 administrators and 6 others, mostly aides). But, as of December 3, 1979, there were 15 vacant parent positions, 2 vacant community positions, 1 vacant administrative position and 2 vacant other positions.

The Reclassification Criteria Committee is concerned with exit requirements for Bilingual students. It appears that the district is moving from a Maintainance program to one of the Transitional style. Under the Maintainance program it is the goal to continue education in the primary and English languages. Under the Transitional program, once certain English skills have been acquired, education in the primary language is discontinued and continued only in the English language. There is also a 5 member steering committee with in this committee;which was instrumental in writing the original status report.

The program goal is to implement instructional programs that recognize the cultural, racial and linguistic differences

of students of limited and non English ability. The recognition of these cultural, racial, and linguistic differences will be reflected in the teaching design, instructional programs, and the multi-cultured curriculum provided to limited and non English speaking students. There are two types of Elementary programs, based on the number of LES and NES students enrolled. In the Resident program, when there are 10 or more NES students, or 15 or more LES students of the same grade or age group, a full time bilingual class must be established (this is according to AB 1329; under the Lau guide lines 20 NES students are required to set up another classroom). A district Bilingual, Bicultural classroom is composed of 66% LES and NES students with 34% FES students. The FES students must be at grade level, in subject matter. The size of the classroom can not exceed the district's average and ideally should be less in number.

When there are not enough numbers of LES and NES students to establish a Resident program, a Service program is provided. A special traveling bilingual teacher is assigned to work with these students.

Under the Lau Supreme Court decision, there is no financial funding for Bilingual, Bicultural education. The majority of the funding is derived from other bilingual funded programs, such as ESEA Titles I and VII, AB65(SIP), AB1329 and EDY (since July,1979 are funded together under the Economic Impact Aid Program), and Title IV C.

How are NES and LES students identified? Students are ad-

ministered a language dominance questionaire to identify those, who according to their response, fall into the following Lau vs. Nichols criteria:

A."student's first acquired language is other than English
B. the language most often spoken by the student is other than English
C. the language most often spoken in the student's home is other than English, regardless of the language spoken by the student" 4

Upon completion, the language dominance questionnaires are returned to the office of the Assistant Superintendent of Instruction; there they are reviewed and a compilation made of those students who, according to their response, fall into the Lau Criteria. Cross validation of data gained from the questionnaires will be accomplished by administering a language dominance survey, with parent consent, to those students identified through use of the language dominance questionnaire.

These surveys are administered by teachers,Aides, or parent volunteers who are bilingual in English and the target language. Cross validation and verification of the data acquired from the survey is accomplished by having district employees, home/school coordinators, bilingual aides, and parent volunteers who are bilingual in English and the target language, visit the homes of the students identified through use of the questionnaire and survey. Further cross validation is accomplished by having the school's personnel observe the identified students on the playground and during informal situations to verify the language used by the student to communicate with peers.

The Bilingual Syntax Measure (BSM), is the English Language Proficiency instrument used in identifying LES and NES students in the district. This test is administered by bilingual teachers.

Adequate staffing to implement the program is very essential. Teacher surveys have been conducted to identify those teachers who are linguistically and culturally familiar with the background of the target student group. Subsequently, proficiency examinations were administered to those willing teachers who were identified. A minimum of one bilingual aide is required for each class. The district also provides bilingual inservice programs for teachers, aides, administrators, volunteer aides and other staff and community representatives. The district purchases support bilingual materials for the Central Supplementary Library, Audio Visual Library, Professional Library, School Libraries and seeks additional resources from the community.

Under Lau, following the implementation of a plan, the district must submit a progress report to the Office for Civil Rights for three consecutive years; sixty days after school starts and thirty days after the last day of school. The district's consultant and evaluator is Dr. Richard Piper.

TEACHER BELIEFS OF THE BILINGUAL PROGRAM

On October 3, 1979, the district received a copy of the teacher survey conducted by Mr. Paul Sandorff, for California Learning Designs, Inc.. The survey is entitled: "A Survey of The Beliefs of Alhambra Teachers With Respect To The District Bilingual Program."

Using a random sampling approach, interviews of approximately fifteen minutes apiece were conducted with 23 elementary and 29 secondary teachers. The questions asked were formulated by the district and California Learning Designs. A sample of the questions are as follows:

1. "Can you explain why the Supreme Court ruled in favor of Lau in Lau vs. Nichols?
2. Can you explain what is meant for the Alhambra District to be cited for being out of compliance with Lau?
3. Can you explain what the goals of the bilingual/multicultural program are?
4. Can you describe the criteria on the basis of which students are assigned to bilingual classes?
5. Do you think that some children in this school district will benefit more from bilingual education than they will from English only education?"5

When asked, "Assuming you have talked with some teachers who are opposed to bilingual education, what objections do they normally raise?" The survey continues as follows:

"Criticism of the bilingual program by surveyed teachers was spread among 25 categories, with "displacement of teachers/destruction of morale" the most often mentioned (almost one-third of the teachers). "Costs too much/costs unjustified by results" ranks second and "Poor program admission criteria" third. The sense of the objections to the program seemed to focus on the following, that it was:
--Anti-regular teacher
--Anti-best educational interests of the child
--Anti-English
--Anti-balanced educational programming

Contributing to the feeling that the program was anti-regular teacher were 1) the displacement of teachers (especially if the use of two languages is maintained) and the claim that this is destructive of morale; 2) the charges that the District has not heard the concerns of the teachers nor has the program consulted the regular teachers in the placement of students; 3) the claim that the program undermined the work of the regular teacher (e.g. not letting the regular teacher teach the NES/LES child English, or by what some considered the unprofessional recruiting of students through their parents away from the regular classrooms).

There was a feeling expressed by a few teachers that although the concept of bilingual education was a good one, and the need was present, the program had grown much larger than necessary to meet the needs of the NES/LES students. This, they claimed, threw the programming priorities out of balance, thus disfavoring the regular program. Also the suspicion had grown that the bilingual program was "loading" classes with students who didn't need it more to benefit the program than the children.

Under what is called "anti-best educational interests of the child" are complaints that the program criteria poorly reflected the real educational situation of the child, that there was too much emphasis on language as a disabling factor, that learning in two languages slowed progress, and that the future needs of the student (i.e. to learn English as fast as possible) were not being met.

"English is the language of this country" was expressed a couple

> of times and twice the program was accused of subverting English with Spanish, but perhaps the chief indicator that many of the surveyed teachers felt the program was anti-English was that it gave equality, or at least status, to the child's first language in the educational process. There were subtle indications of the feeling that once Spanish (or another language, but particularly Spanish) was allowed as the medium of instruction then English would not maintain the importance now accorded it." 6

In relationship to the bilingual program, the following comments were made to the author:

1. "no organization"
2. "no teacher input into design of program"
3. "Exit Criteria Committee was organized at request of the A.T.A. (Alhambra Teachers' Association)."
4. "Bilingual Syntax Measure (BSM), does not categorize children correctly."
5. "At Highlands (school), over 200 parents protested against the program. They send their children to Chinese school and want only English taught to their LES and NES students."
6. "Instead of minimizing differences we are maximizing."
7. "Brightwood (school), developed its own program which is basically ESOL."
8. "Learning disability students are getting farther behind."
9. "The Bilingual Program should be in grades 7-12. At the Kindergarten and primary grades, English should be taught; and by the third grade the student will be thinking in English."
10. "$500 per pupil more per ADA (Average Daily Attendance)"
11. "Economically and culturally disadvantaged have trouble in

two languages."

12. "Some travelling bilingual teachers were put in classrooms to save district money. The A.T.A. agreed to this because no teachers were displaced."
13. "There is a high turn over rate and thus no continuity."
14. "The children segregate themselves on campus."
15. "Non credentialed teachers are inferior as teachers."

"The impression is strong that for most elementary school teachers the bilingual program is a threat. Even more, they seem to feel that they are considered useless....." 7

PROGRAM EVALUATION (PROGRAM QUALITY REVIEW INSTRUMENT)

The Program Quality Review Instrument is used to evaluate the district's bilingual program. The PQRI was developed by the California State Department of Education, Bilingual/Bicultural Education Section, for the purpose of conducting monitor and review efforts in bilingual/bicultural programs across the state. In August of 1978, the district received the results of the PQR conducted by Dr. Richard Piper; in association with district staff and community representatives. The district charged Dr. Piper with the responsibility to "Critically review the program narrative and the evaluation specifications contained in the program plan. Write a critique of the program plan including commendations and recommendations." The PQR results consisted of four individual reports. Here we are concerned with report numbers one and two; respectively entitled, Critique of Program Plan With Notes on Implementation and 1977-1978 Program Quality Review.

In report number one Dr. Piper directs his attention to implementation. He states that:

> "With respect to the subject matter areas to be treated, it is recommended that the Board state specifically which subject matter areas are included. Existing Board policy would suggest that the following areas should be included: Spanish language arts, Spanish reading, English as a second language, Spanish as a second language, mathematics, natural science, and social sciences/multicultural studies."
>
> "I should add a note on implementation. Each of the subject matter areas presented in the preceding list are being implemented within the bilingual classroom. It cannot be said, however, that instruction in these areas is referenced to an articulated curriculum which has been developed on a District-wide basis. On the contrary, the curriculum from classroom to classroom is largely idiosyncratic. This fact has made it extremely difficult this year to determine exactly what the students have learned. It is therefore recommended that the Board seek full implementation of the recommendation made by the Superintendent. With respect to implementation, I would like to make a few comments and recommendations. First, it should be noted that the district bilingual staff has already selected a continuum of objectives that can be used to guide Spanish language arts and reading and English language arts and reading next year. This is the Adelante Program. While I am not fully acquainted with this program, a cursory review of it suggests that this is a move in the right direction and deserves Board support. With regard to evaluation of the language arts and reading program, I am happy to report that the State Department of Education has supported development of resources for evaluating language proficiency in Spanish. These materials have an effective operating range of grades K to 12 and if used would permit the Board to assess the effectiveness of the Spanish language arts and reading program. With respect to the English lang-

uage arts and reading program, we already have the Comprehensive Tests of Basic skills and the California Achievement Test. We therefore now have the basis for an improved evaluation of the program next year." 8

In report number two Dr. Piper focused on the Traveling and Resident Bilingual/Bicultural Programs. The traveling program was installed at schools and at grade levels within schools where there were not enough MES and LES students within a grade level to form a bilingual classroom. The traveling program was installed at 12 schools as follows:

"Baldwin Garfield Northrup
Brightwood Granada Park
Emery Park Highlands Ramona
Fremont Marguerita Ynez" 9

There were a total of 11 traveling Bilingual teachers, teaching 155 students. The traveling program operates on a pull out basis. Identified students are taken out of their classroom for an hour and ten minutes to a place designated by the school administration for special instruction in language. Among the materials being used for Spanish language arts and reading are Bilingual Oral Language and Reading, Senda, and Reading in Two Languages. "The materials used to guide the English as a second language program are primarily the SWRL Language and Concepts Program, though the SWRL materials are being supplemented with other materials."

The resident program is installed at six schools. These are:

"Emery Park Monterey Highlands
Fremont Northrup
Granada Ynez" 10

There were a total of 14 classes being served including six Kindergarten, two first grades, three first grade/second grade comninations, one second grade, one fifth grade, and one fifth and sixth grade combination. "A total of 371 students are enrolled in these

classes for an average of 26.5 students per class." Each of the classes was served by a teacher and a bilingual aide.

The overall bilingual program for 1977-1978 school year was given very high commendations by Dr. Piper. "The Board of the combined Districts has formulated an excellent plan for bilingual education."

In 1979, the district continues to meet the standards set by the government and state for a bilingual educational program. The following are some specific points of issues of compliance:

"1. The PQRI calls for "...a continuum of skills for primary oral language and literacy." The Alhambra Bilingual Program utilizes the ADELANTE management and assessment system from Random House Publishers. This system addresses literacy skills primarily, through the third grade. Although ADELANTE serves its purposes well, the limitations it presents needed to be dealt with to further improve the program. At the end of the second year of the program, a committee of bilingual teachers began to work on the extension of the continuum to include fourth and fifth grade level skills. The primary oral language aspect of the required continuum needs still to be developed, as it does in the monolingual program.

2. The PQRI looks for regularly scheduled lessons in primary language and literacy. Because teachers individualize learning by grouping not only by ability levels but by language proficiency as well, students are assured of the required twenty minutes of daily instruction in the primary language, as required in the PQRI.

3. The PQRI indicates that it is important that "Each participating classroom has an ongoing assessment procedure for English as a second language skills..." In Alhambra, teachers use the SWRL LCS Kit which provides for placement at appropriate levels and assessment at the end of each unit. In addition, the program resource staff has developed a lesson-by-lesson continuum to insure that

students are developing each aspect
of the ESL program.
A more detailed look at the PQRI will
substantiate the fact that Alhambra
is in full compliance with the law." 11

In a recent news paper article, Dr. Piper was quoted as saying the Alhambra program "is one of the three finest he has seen in California." 12

SUMMARY

The failure of the San Francisco school system to provide English language instruction to approximately 1,800 students of Chinese ancestry who do not speak English, or to provide them with other adequate instructional procedures, denies them a meaningful opportunity to participate in the public educational program and thus violates Title VI of the Civil Rights Act of 1964, which bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving Federal financial assistance," and the implementing regulations of the Department of Health, Education and Welfare. Thus, Lau vs. Nichols requires that any school district which receives federal monies is automatically obligated to implement a Bilingual Program.

The Lau decision struck down the view that in someway the child is inherently sinful for having the audacity to enter the public school system and not know English. The Bilingual Program is an attempt to enable NES and LES students full continuation of their education in their primary language while, at the same time, learning English. The program is also an attempt to have the NES and LES students take pride in their culture and develop good self concepts.

In 1976 the San Francisco Office For Civil Rights informed the Alhambra Elementary and High School Districts that they were in non compliance with the Title VI section of the 1964 Civil Rights Act. Being guided by the OCR and in consultation with the Los Angeles and San Diego State University Lau Centers, the districts were able to organize and implement a successful Bilingual/Bicultural Program. With in a matter of two years, a committed administration and staff, have put together a bilingual program, which is considered to be one of the best in the state, according to the Districts' evaluator.

The districts' program provides traveling and resident programs, at grades K-12. The Target groups are Spanish, Chinese (Mandarin and Cantonese), and Japanese; with Korean and other groups to be serviced in the near future.

The program continues to grow. The number of bilingual classrooms has more than doubled. This is because of a consistent and large influx of Asian and Hispanic groups to the Alhambra and Monterey Park areas. NES and LES student enrollment has increased so much, since September, that many schools have had to create new bilingual classrooms.

COMMENDATIONS AND RECOMMENDATIONS

Having the Lau guide lines available to them, made it much easier for the districts to create and implement a bilingual program. The Policy Goals were quite clear and specific, based on unbiased and relevant current data. There is no doubt that the problem truly existed. The Program Structure, initially, was very

strong. Within a correct time frame the goals were not misinterpreted and well developed technology was put to use. In the 1979-1980 school year there appears to be a conflict in the interpretation of one of the goals. That disagreement is over Maintenance vs. a Transitional Bilingual/Bicultural Program.

The level of expertise provided by the OCR and the Lau Centers was instrumental in a successful Policy Implementation. There was complete agreement of the goals by the OCR and State officials and law makers. If the Policy had not been implemented, it is quite possible the districts could have lost valuable federal funds. This might be called a negative incentive. The outcome has been a very positive one for the students and the community. But in the midst of implementation has come defiance of the program by many regular teachers who have or feel they will be displaced by a bilingual teacher. Presently, overcrowding caused by high enrollments of NES and LES students, in certain schools, is creating problems of implementation,such as classroom space, acquisition of qualified personnel, and increased paper work in the school office.

The following are statements and/or recommendations about the program:

1. Many regular teachers are also Bilingual but refused to take part in the bilingual program because the districts didnot provide incentives for them to do so. Provide incentives!
2. There is a complete lack of communication (so it appears), between regular teachers and the Administration, about the bilingual program. Bring back the old Professional Days where district personnel were able to attend and learn about district programs; follow it up with a regular scheduled Bilingual Bulletin.

3. Teacher job displacement is beginning to create a morale problem for the district. Is this to become a regular occurrence? If district attrition comes to a halt, will regular teachers be replaced instead of displaced? What are the enrollment projections for the near future? What does the district plan to do?
4. Will the Bilingual/Bicultural Program be Maintenance or Transitional?
5. How does the Hart Bill relate to the Bilingual Program?

The district must address itself to these issues and hopefully provide sound solutions.